



2661
Dup

THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

MAY 14 2002

Technology Center 2600

In re application of: William J. Goetzinger et al : Date: May 8, 2002
Group Art Unit: 2661 : IBM Corporation
Examiner: Unknown : Intellectual Property Law
Serial No.: 10/015,760 : Dept. 917, Bldg. 006-1
Filed: November 1, 2001 : 3605 Highway 52 North
Title: WEIGHTED FAIR QUEUE HAVING : Rochester, MN 55901
ADJUSTABLE SCALING FACTOR

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Assistant Commissioner for Patents
Washington, D.C. 20231
Sir:

Applicants request that the information listed on the attached Form PTO/SB/08A be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. §1.97. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standard of materiality defined in 37 C.F.R. §1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. §1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the Examiner. In accordance with 37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

Serial No. 10/015,760
Docket No. ROC920010201US1

To the best knowledge of the undersigned, this Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b)(3) before the mailing of a first Office action on the merits in the present application. Accordingly no filing fee is required.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

May 8, 2002

(Date of Deposit)

Nancy J. Larson
Nancy J. Larson

Respectfully submitted,

WILLIAM J. GOETZINGER ET AL

By

Leslie J. Payne

Attorney Reg. No. 26,378

IBM Corporation - Department 917

3605 Highway 52 North

Rochester, Minnesota 55901-7829

Telephone: 1-507-253-2555

PTO/SB/08A

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**Sheet 1 of 4

Application Number.: 10/015,760
 Filing Date: November 1, 2001
 First Named Inventor: William Goetzinger
 Art Unit: 2661
 Examiner Name: Unassigned
 Attorney Docket Number.: ROC920010201US1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear
	AA	US -5249184A	09/28/1993	Karen L. Woeste et al	
	AB	US -5490141A	02/06/1996	Fuyung Lai et al	
	AC	US -5548590A	08/20/1996	Robert H. Grant et al	
	AD	US -5629928A	05/13/1997	Jean Calvignac et al	
	AE	US -5742772A	04/21/1998	Cormac J. Sreenan	
	AF	US -5831971A	11/03/1998	Flavio Bonomi et al	
	AG	US -5844890A	12/01/1998	Gary Scott Delp et al	
	AH	US -5850399A	12/15/1998	Mahesh Ganmukhi et al	
	AI	US -5926481A	07/20/1999	Chi-Lung Wang et al	
	AJ	US - 5946297A	08/31/1999	Jean Calvignac et al	
	AK	US - 5999963A	12/07/1999	John Louis Bruno et al	
	AL	US - 6014367A	01/11/2000	Alexander Joffe	
	AM	US - 6018527A	01/25/2000	Nanying Yin et al	

RECEIVED
MAY 14 2002
Technology Center 2600

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Country ³ - Number ⁴ - Kind Code ⁵ Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear	T ⁶
	AN	EP0957602A2	11/17/1999	Darrin Nagy		X

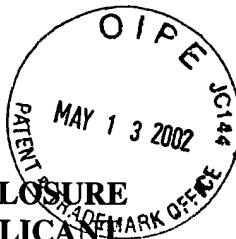
Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

PTO/SB/08A


**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
Sheet 2 of 4

Application Number.: 10/015,760
 Filing Date: November 1, 2001
 First Named Inventor: William Goetzinger
 Art Unit: 2661
 Examiner Name: Unassigned
 Attorney Docket Number.: ROC920010201US1

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and or country where published.	T ²
	AO	U.S. Patent Application Serial No. 10/102,166 filed March 20, 2002, "Method and Apparatus for Improving the Fairness of New Attaches to a Weighted Fair Queue in a Quality of Service (QoS) Scheduler"	
	AP	Abstract of Publication entitled "Design of packet-fair queuing schedulers using a RAM-based searching engine" by HJ Chao et al, IEEE Journal on Selected Areas in Communications, Vol. 17, No. 6, pp. 1105-1126, June 1999	

RECEIVED
 MAY 14 2002
 Technology Center 2600

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional).

² Applicant is to place a check mark here if English language translation is attached.

PTO/SB/08A


**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
Sheet 3 of 4

Application Number.: 10/015,760
 Filing Date: November 1, 2001
 First Named Inventor: William Goetzinger
 Art Unit: 2661
 Examiner Name: Unassigned
 Attorney Docket Number.: ROC920010201US1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear
	BA	US -6028842A	02/22/2000	Alan Chapman et al	
	BB	US -6028843A	02/22/2000	Gary Delp et al	
	BC	US -6031822A	02/28/2000	Eugen Wallmeier	
	BD	US -6038217A	03/14/2000	J. Bryan Lyles	
	BE	US -6041059A	03/21/2000	Alexander Joffe et al	
	BF	US -6064677A	05/16/2000	Christopher Kappler et al	
	BG	US -6072800A	06/06/2000	Duan-Shin Lee	
	BH	US -6078953A	06/20/2000	Aseem Vaid et al	
	BI	US -6081507A	06/27/2000	Hung-Hsiang Chao et al	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Country ³ - Number ⁴ - Kind Code ⁵ Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear	T ⁶
	BJ	WO99/53647A2	10/21/1999	Nigel T. Poole et al		X
	BK	WO99/53648A2	10/21/1999	Cary B. Robins et al		X
	BL	WO99/35792A1	07/15/1999	Anna Charny et al		X

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at

www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the

patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if

possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

PTO/SB/08A

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**Sheet 4 of 4

Application Number.: 10/015,760
 Filing Date: November 1, 2001
 First Named Inventor: William Goetzinger
 Art Unit: 2661
 Examiner Name: Unassigned
 Attorney Docket Number.: ROC920010201US1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear
	CA	US -6092115A	07/18/2000	Abhijit Choudhury et al	
	CB	US - 6101193A	08/08/2000	Yoshihiro Ohba	
	CC	US -6104700A	08/15/2000	Stephen Haddock et al	
	CD	US -6108307A	08/22/2000	Stephen McConnell et al	
	CE	US -6122673A	09/19/2000	Debashis Basak et al	
	CF	US -6144669A	11/07/2000	Stephen J. Williams et al	
	CG	US -6157614A	12/05/2000	Eliezer Pasternak et al	
	CH	US -6157649A	12/05/2000	Kenneth Peirce et al	
	CI	US -6157654A	12/05/2000	Tom Davis	
	CJ	US - 6169740B1	01/02/2001	Todd D. Morris et al	
	CK	US - 6188698B1	02/13/2001	Claude Galand et al	
	CL	US - 6226267B1	05/01/2001	Barry A. Spinney et al	
	CM	US - 6229812B1	05/08/2001	Bidyut Parruck et al	
	CN	US - 6229813B1	05/08/2001	Steven W. Buchko et al	
	CO	US - 6236647B1	05/22/2001	Carlo Amalfitano	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Country ³ - Number ⁴ - Kind Code ⁵ Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear	T ⁶

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.